

Reply Brief from Oak Hill, AL 36766 Post Office

Before the Postal Rate Commission, Washington, DC 20268

In the matter of:

Oak Hill, AL 36766

Docket No: A2011-97

Mayor David Fuller, John Dale, Juliette H. Bullock, Petitioners

Petitioners are appealing the Postal Service's Final Determination concerning the Oak Hill, AL 36766 post office.

Background Information and Introduction

Unlike the USPS, a multi-billion dollar agency with a full department for legal counsel, we, the petitioners, come before the Postal Regulatory Commission (PRC) with no legal counsel. We will not be citing U.S. Codes. Do we not have a right to legal counsel also, provided by the USPS or another agency? We know that the Southern Poverty Law Center in Montgomery, AL, provides representation to underfunded clients seeking redress. We plan to contact the SPLC to ask about their help. As is the case with the very large and growing docket now before the PRC, most of the post offices appealing the USPS's decision to close them face the same issues. We are small, rural, older, and in our case, below the poverty line. As one of the users of our post office has said about our need for continuing postal services, "We is [sic] low income people. We is [sic] poverty-level people."

We are not legal experts. We also are not sure that the actions and decisions made concerning our post office are accurate. We know that speed has been a necessity on the part of the USPS in its effort to erase as much of its deficit as possible, and we have seen inaccuracies in the paperwork that has been sent to us. We have also written about these in our last document to the PRC, so we will not go into them again now.

Today's (12/5/11) news claims that the USPS has determined to close some 3,700 post offices across the nation, and we are among the first in this massive group of impending closings. In addition, PO distribution centers and a large numbers of jobs are on the line. We understand that bankruptcy looms for the USPS. But does an agency as vast as the USPS understand the impact on the people and places from which it is withdrawing services? In a December 3 *New York Times* article, the writer, who believes that the USPS is facing obsolescence, says, "Even postal skeptics note that [the post office] still delivers essential communication to small subgroups that are not (yet) well connected online: the elderly and rural residents." That is who we are: a small subgroup of elderly and rural. And poor.

A *Washington Post* article (12/5/11) regarding the upcoming cutbacks in first class service as well as the closings of so many post offices and distribution centers—plus the impending large number of layoffs—quotes Republican Senator Susan Collins and Democrat Representative Dennis Kucinich as decrying these actions. For the USPS to cut

services is to hasten its death unless it is allowed to come out from under its mandated pensions/health care pre-payments and re-work itself into an entity that is able to respond to constant technological advances. These advances occur primarily in urban, highly populated areas, where many services are available. In areas such as ours—under populated, without many of the services that urban areas take for granted—the loss of one service has a much larger, more negative impact on its populace than that of one being lost in more peopled areas.

While the USPS may consider our suggestion to close the Pine Apple Post Office and combine it with Oak Hill as “not germane,” we beg to differ. If we can be put on the docket for closing and be closed, any other post office can be also. We further suggest that the USPS close the Furman Post Office and combine it also with Oak Hill. We consider this suggestion to be germane also. Furman was on the list of second closings but because it has a Postmaster, it has been spared. Oak Hill had a Postmaster and a route. Both are gone now. Oak Hill has the facility and the location—both geographically as well as our site at the intersection so that we are easily seen from all directions—to accommodate such actions. One or both of the Postmasters at Pine Apple and Furman could operate the office from Oak Hill. We do not seek the loss of jobs for either of these Postmasters. We do know that the powerful postal workers’ union gives these two post offices a great advantage over ours.

Further, we, along with the McWilliams Post Office, have been classified as EAS-55 level offices, while Pine Apple is EAS-13 level. We are not sure of Furman’s level but believe it must be higher than ours because of its having a Postmaster. We believe that we could certainly be a level 13 office, given the opportunity. Again, the *Washington Post*: “The post office is a large employer, especially of minority workers, and laying off hundreds of thousands of employees in this economy would be extremely difficult.” However, it is not so difficult to reassign an OIC or to lay off a PMR, which is what Oak Hill has. Being a small post office without union backing puts us on the front line of assault, no matter our circumstances on the ground.

Direct Responses to the USPS’s “Comments Regarding Appeal”

Page 2: Revenue declined, according to these figures, since 2009, not 2008, as stated.

Also, in 2010, we lost our postmaster, and with her going, we also lost a key reason/position for being allowed to remain open as well as a permanent staffer operating the office and ordering stamps. We believe we are correct that in the entirety of 2010 and 2011, we have been staffed by a series of OICs and PMRs. No wonder we lost revenue in 2010. This instability works to the benefit of the USPS as it tries to close offices and to our detriment.

Page 3: The USPS must not have realized that the McWilliams Post Office, mentioned a number of times throughout their document as another nearby place for our postal retail service, was scheduled to be closed November 18. Thus, it is certainly not another option for us. Does the USPS have so many post offices closing that it does not know which ones are closing when?

Page 4: We question “low and decreasing office revenue, the variety of delivery and retail options, including the convenience of rural delivery and retail service,” “minimal impact

upon the community; and the expected financial savings.” We believe that our previous documents, as well as this one, have shown the opposite.

Page 5: We have also shown that we disagree with the sentence which concludes, “the choice of Pine Apple Post Office over any other Post Office does not have a large impact.”

Page 8: The possibility of a Village Post Office has been mentioned numerous times, in this and most preceding USPS documents as “of interest” to us. It has been of interest to us, and we have pursued that option also. However, an 11/2/11 article by Reuters states, “The financially troubled U.S. Postal Service has determined that its plan to replace money-losing offices with retailers contracted to offer basic services will not work in many rural communities.... The agency set an eventual goal of 2,000 ‘Village Post Offices,’ but it has fewer than 10 fully operating.”

Page 9: The Postal Service maintains that “customer convenience may be enhanced ... because the provision of rural carrier service will alleviate the need for customers to travel to the Post Office for many retail services and will provide them with 24-hour access to their mail.” We believe, from what we have heard, that most Oak Hill Post Office patrons will continue to travel for services. The cost will be greater for our patrons.

Page 11: It is our understanding that, if we are closed, the only customers who will be able to retain the Oak Hill name and ZIP code in addresses are the ones who will pay for a box in the Pine Apple Post Office and drive the 14-mile round trip from the Oak Hill PO to the Pine Apple PO to retrieve their mail. All other customers on the routes will have a Pine Apple address and ZIP code.

In addition, for the same reason that a VPO may well not be a viable possibility for Oak Hill, the USPS’s contention that “residents may continue to meet informally, socialize, and share information at other businesses, churches, and residences in town,” begs the question. One of the primary reasons that patrons of so many post offices across the country are appealing the closing of the offices is precisely that the post office is not only where mail is collected but also a natural gathering place in very small towns as well as a place in this community where information is given to patrons as well as strangers and often to 911 or volunteer fire fighters. Therefore, we do not agree that “nonpostal services provided by the Oak Hill Post Office can be provided by the Pine Apple Post Office or McWilliams Post Office [sic].”

Page 12: While we understand the dire situation in which the USPS finds itself, we believe, as stated before, that closing so many post offices and reducing services in already underserved areas will bring about the demise of the USPS sooner rather than later. Savings are important, but how much will be saved? We have offered both reductions in lease amount and in amount of service available (days and hours). Why can’t such a plan be tried before the “final closing” of a post office? Why will the USPS not consider alternatives when its customers clearly want to keep its offices open?

Page 14: As to the lease that the USPS has signed with the building’s owners, our records show that the lease that expires on September 30, 2012 was signed by USPS Contracting Officer Jerry Fogel on 9/30/05 and by John L. Dale III, representing the building’s owners. *That* lease runs from October 1, 2007 until September 30, 2012 “for a total of 5 years.”

Another lease was signed by USPS Contracting Officer Robert C. Rizzuto on 8/31/10 and by John Dale III for a five-year term beginning October 1, 2012 and ending September 30, 2017. Why was this current lease not mentioned by the USPS in its Comments?

Page 15: The loss of our postmaster is cited as the reason for our “discontinuance study.” As stated above, this works to the benefit of the USPS and to our great detriment. It should be very easy, in the midst of all the turmoil created by so many closings at once, to replace our revolving-door OICs and PMRs with a postmaster.

Page 16: Therefore, we reach the opposite conclusion of the USPS and believe that our closing will see the disadvantages outweighing the advantages. We, the petitioners, respectfully request that the determination to close our Oak Hill Post Office be overturned.

Closing Arguments

1. We believe that the USPS is in its current dismal situation because of Congress’s decision some 30 years ago to place the USPS on a stand-alone for-profit basis. That decision, it turns out, was based on the negative evaluation of most government services and the perceived desirability of putting such government agencies on a “business-like” basis. We believe that the USPS should employ accepted best practices, but that without ongoing federal budget support and with the recent imposition of a huge sum for postal pensions annually, Congress has in fact ordered that the USPS be destroyed.

2. It is clear to us, in retrospect, that USPS personnel decided some time ago which local units should be closed and have rarely deviated from their plan. The criteria for closings have never been clearly revealed until we received this most recent document from the USPS. The entire closing process is a sham and a huge waste of time, effort, and money. If, for example, one were to draw a circle around the eastern Wilcox County post offices and make a determination as to which one is most centrally located to all the patrons served, Oak Hill—approximately midway between Camden the eastern county line, at the intersection of two state highways (as seen on the map submitted in early November)—has the prime location. Pine Apple, however, wins, because it has a postmaster and two routes, one of which was taken from Oak Hill through political machinations years ago. Why not give back to Oak Hill what has been taken away and save the USPS money at the same time?

Respectfully submitted,

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